



FAW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Richard L. Bontrager, Michael A. Brown,
Robert F. Hacker and Randall G. Strange

Appln. No.: 10/717,110

Confirm. No.: 7308

Filed: November 19, 2003

Title: MODIFIED SPRING SYSTEM END CAP FOR
PACKAGING FRAGILE ARTICLES WITHIN
SHIPPING CARTONS

PATENT APPLICATION

Art Unit: 3632

Examiner: Jonathon S. Szumny

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on September 27, 2004.

(Attorney Signature)

Michael L. Robbins, Reg. No. 54,774

Signature Date: September 27, 2004

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ The present application is being/was filed after June 30, 2003. In accordance with the pre-official gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at: pac/dapp/opla/preognotice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. However, copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a)(2), as still required, except for those items designated by an asterisk (*), which were previously submitted

10/01/2004 ZJUHR1 00000083 10717110

01 FC:1806

180.00 DP

- 1 -

Attorney Docket No.: RSVP-03008US0
mrobbins/RSVP/03008US0/IDS.wpd

104.001:123103
09/26/04-18:44

by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

— The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

— If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

— ***PTA Statement under 37 C.F.R. §1.704(d).*** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

This statement should be considered because:

— **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

✓ **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

___ (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).

-- OR --

✓ (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

___ **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

(1) It is being filed on or before payment of the Issue Fee;

-- AND --

(2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);

-- AND --

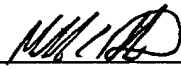
(3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

✓ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER MEYER LLP

Date: 9/27/04

By: 
Michael L. Robbins
Reg. No. 54,774

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone (415) 362-3800



Form PTO-1449 (Substitute)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket Number RSVP-03008US0	Serial/Patent Number 10/717,110		
Information Disclosure Statement BY APPLICANT <i>(Use several sheets if necessary)</i>				Applicant/Patent Owner Richard L. Bontrager et al.			
				Filing/Issue Date November 19, 2003		Group Art Unit 3632	
U.S. PATENTS							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	1.	2,783,930	03/05/1957	M. A. Riley	229	014	
	2.	2,808,189	10/01/1957	P. M. Williams	229	014	
	3.	2,935,206	05/03/1960	W. H. Smith	211	065	
	4.	2,974,788	03/14/1961	G. L. Robbins	206	065	
	5.	2,994,466	08/01/1961	P. Thompson	229	030	
	6.	3,146,932	09/01/1964	L. Mayer	229	014	
	7.	3,176,743	04/06/1965	W. C. Bundy	150	042	
	8.	3,181,766	05/04/1965	J. T. Kane et al.	229	014	
	9.	3,192,978	07/06/1965	W. Horvath	150	.5	
	10.	3,366,231	01/30/1968	E. P. Trakas	206	065	
	11.	3,437,423	04/08/1969	D. G. Mondiadis	021	083	
	12.	3,724,654	04/03/1973	Gerard et al.	206	072	
	13.	3,768,639	10/30/1973	Dogliotti	206	45.19	
	14.	3,835,986	09/17/1974	Le Beau	206	320	

U.S. PATENTS

Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	15.	4,006,818	02/08/1977	Wannyn	206	564	
	16.	4,132,311	01/02/1979	Glinert	206	387	
	17.	4,360,145	11/23/1982	Wilcox	229	1.5 R	
	18.	4,398,212	08/09/1983	Serry et al.	358	093	
	19.	4,645,079	02/24/1987	Hill	206	563	
	20.	4,671,407	06/09/1987	Brutosky	206	332	
	21.	4,709,808	12/01/1987	Balduff et al.	206	158	
	22.	4,823,956	04/25/1989	Belisle	206	523	
	23.	4,883,179	11/28/1989	Dionne	206	523	
	24.	4,936,453	06/26/1990	Knitter	206	419	
	25.	4,972,951	11/27/1990	Vartanian	206	387	
	26.	5,226,543	07/13/1993	Foos et al.	206	592	
	27.	5,385,232	01/31/1995	Foos et al.	206	320	
	28.	5,515,976	05/14/1996	Moren et al.	206	586	
	29.	5,545,370	08/13/1996	Moren et al.	264	522	
	30.	5,628,402	05/13/1997	Dickie et al.	206	521	
	31.	5,799,796	09/01/1998	Azelton et al.	206	586	

U.S. PATENTS							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date

U.S. PATENT PUBLICATIONS				
Examiner Initial		Patent Application Publication Number	Publication Date	Applicant

PENDING U.S. PATENT APPLICATIONS					
Examiner Initial		Application Number	Filing Date	First Named Inventor	Petition to Expunge? Yes No

FOREIGN PATENT DOCUMENTS								
Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	<u>abstract</u> Yes No	
	32.	DE3843990	07/05/1990	Germany			<input checked="" type="checkbox"/>	
	33.	1 224 493	03/10/1971	Great Britain				<input checked="" type="checkbox"/>
	34.	GB 2 229 416 A	09/26/1990	Great Britain				

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)	

Examiner	Date Considered
----------	-----------------

***EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20____, relied on under 35 USC §120.

*2 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20____, relied on under 35 USC §120.